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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In Re:
Jim L Taloy

Femilyn Taloy

Case: 2010-23337-A-7
Hearing Date: June 7, 2010
Hearing Time: 9:00AM
Hon. Michael McManus
Courtroom 28 - Dept A

Debtors

DCN: PLC-01

MOTION TO COMPEL ABANDONMENT

Peter Cianchetta 220971, on behalf of Jim L Taloy and Femilyn Taloy, the Debtors herein, hereby moves this Court for an Order Compelling the Trustee to Abandon the estate's interest in certain non-real property. This motion is based on the following facts:

1. This case was filed with the Court on February 12, 2010 and Susan Didriksen was duly appointed as Trustee.
2. The filed schedules on this case disclose the Debtors' interest in 2006 Toyota Tundra, (hereinafter, "ASSET").
3. The schedules further assert that the total of the creditor's liens and the debtor's exemption claims exceed the value of this property.

4. A summary of the estate's interest in this property is as follows:

a. Value of the ASSET (Schedule B)	\$13,855.00
b. Less: Secured debt on the ASSET (Schedule D)	\$ 30,259.00
c. Less: Exemption claimed (Schedule C)	<u>\$ 1.00</u>
d. Net value of this property to the estate	\$-16,405.00

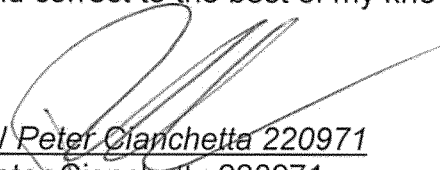
- 1 5. The Trustee conducted the §341 Meeting of Creditors on March 24, 2010.
- 2 6. The Trustee has not indicated that this property is a target of any liquidation efforts on the
- 3 part of the estate.
- 4 7. The Trustee has not challenged the Debtors' assertion of value or debts,
- 5 8. The Trustee has not filed any objection to the Debtors' claim of exemption.
- 6 9. Pursuant to 11 US Codes §554(b)
- 7 On request of a party in interest and after notice and a hearing, the court may order the
- 8 trustee to abandon any property of the estate that is burdensome to the estate or that is of
- 9 inconsequential value and benefit to the estate.
- 10 10. The Debtors therefore assert that the ASSET is burdensome and of inconsequential value
- 11 to the estate and respectfully move this Court to Order the Abandonment of the estate's
- 12 interest in this property.

12 CERTIFICATION

13 I, Peter Cianchetta 220971, hereby certify under penalty of perjury that I have read the

14 foregoing Motion to Compel Abandonment. I further certify that the contents therein are true

15 and correct to the best of my knowledge and belief. Executed on April 28, 2010.

16 

17 /s/ Peter Cianchetta 220971

18 Peter Cianchetta 220971

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